

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RUPAL BANDANI, et al.,

No. C 14-0591 MMC

Plaintiffs,

**ORDER GRANTING DEFENDANT
UNITED STATES OF AMERICA'S
MOTION TO STAY; DENYING AS MOOT
DEFENDANT'S MOTION TO CHANGE
TIME; VACATING MAY 9, 2014
HEARING**

v.

DELAWARE NORTH COMPANIES, INC., et
al.,

Defendants.

Before the Court is defendant United States of America's ("United States") "Motion to Stay All Proceedings Pending Transfer by the Judicial Panel on Multidistrict Litigation," filed March 31, 2014. Defendants Delaware North Companies, Inc., Delaware North Companies Parks & Resorts, Inc., and DNC Parks & Resorts at Yosemite, Inc. have filed an affidavit in support of the motion. Plaintiffs have filed opposition. Also before the Court is the United States's Motion to Change Time pursuant to Civil Local Rule 6-3, filed April 15, 2014. Having read and considered the papers submitted in support of and in opposition to the motion to stay, the Court deems the matter suitable for decision on the parties' respective written submissions, VACATES the hearing scheduled for May 9, 2014, and rules as follows.

The Judicial Panel on Multidistrict Litigation ("JPML") has scheduled a May 29, 2014 hearing on the motion to transfer filed by the United States. See In re Yosemite National

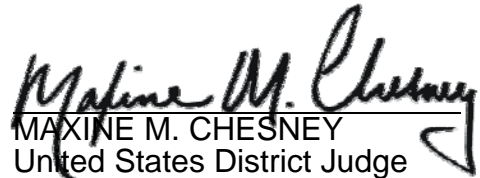
1 Park Hantavirus Litigation, MDL No. 2532, Doc. No. 47. A decision on the matter will in all
2 likelihood be made shortly thereafter, and, consequently, the stay sought by the United
3 States will be of short duration. Although plaintiffs argue that “[e]ven a temporary stay
4 amounts to a significant delay—time lost—which is prejudicial” (see Opp’n at 8:9-10), they fail
5 to show how, in this instance, the passage of a short amount of time would prejudice them.
6 See Good v. Prudential Ins. Co. of America, 5 F. Supp. 2d 804, 809 (N.D. Cal. 1998)
7 (granting stay where plaintiff “fail[ed] to indicate why [a] delay would prejudice him”). In
8 light of the anticipated brevity of the stay, and because a stay may both conserve judicial
9 resources and promote consistency in the determination of common issues, the Court finds
10 a stay of the proceedings herein is appropriate. See Rivers v. Walt Disney Co., 980 F.
11 Supp. 1358, 1360 (C.D. Cal. 1997) (identifying factors to consider when determining
12 whether to stay action pending decision by JPML).

13 Accordingly, defendant’s motion for a stay is hereby GRANTED.

14 In light of the above, defendant’s Motion to Change Time, filed April 15, 2014, is
15 hereby DENIED as moot.

16 **IT IS SO ORDERED.**

17
18 Dated: April 17, 2014

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MAXINE M. CHESNEY
United States District Judge